REMARKS

Initially, Applicant would like to thank the Examiner for the courtesies extended to Applicant's attorney during the recent interview held on December 13, 2004. The amendments and remarks made by this amendment are consistent with the proposals discussed during the interview.

The final Office Action, mailed November 8, 2004, considered and rejected claims 3-8, 13-15, 27-30 and 37-63 under 35 U.S.C. § 102(e) as being anticipated by Chan (U.S. Patent No. 5,553,123)[1].

By this paper, each of the independent claims 37, 44, 50 and 58 have been amended and new claim 64 has been added, such that claims 3-8, 13-15, 27-30 and 37-64 remain pending for reconsideration.[2]

As discussed during the interview, claims 37 and 58 are directed to a method and corresponding computer program product for enabling a server to control the recording of selected television programming. Claims 44 and 50 are directed to a similar method and corresponding computer program product, only recited from the perspective of the client interactive television system.

The recited method, in each of the claims, includes various acts in which a request from a client for a programming schedule is received at the client. In response to this request, the server provides the programming schedule to the client system. Thereafter, a new request from the client, based on the program schedule that is now displayed at the client, indicates a program to record. The server responds to this request by downloading recording instructions to the client

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[1] Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

[2] Support for the new claim and the claim amendments made by this paper are found primarily in paragraphs 133 thru 151 and, more particularly, paragraphs 142-144, as referenced during the interview. Deleting references to the terms automatically and independently was done at the Examiner's suggestion and upon Applicant determining that making such deletions would desirably broaden the language of the claims, particularly since said terminology was not necessary to distinguish the claims from the cited art.

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system through at least one of the television signal and the internet, so that the client system is set up to record the selected program.

This unique combination of claim elements is neither anticipated by nor made obvious by Chan, for at least the reasons discussed during the interview. The current claims are slightly different than those presented during the interview, but include the same basic concepts and should be distinguished for at least the same reasons. Chan also fails to anticipate or make obvious such a method or corresponding computer program product in which the request for the programming schedule is received at an Internet web site through the use of a conventional Web browser, as recited in new claim 64.

Accordingly, for at least the foregoing reasons[3], Applicant respectfully submits that the pending application overcomes the rejections of record, as suggested by the Interview Summary, and is, therefore, now in condition for prompt allowance.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this ___4___ day of January 2005.

Respectfully submitted,

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[3] Applicant also submits that the human operator in Chan should not be construed as part of the client computing system, for at least the reasons discussed during the interview. Accordingly, although the claims are distinguished from Chan for other reasons, besides this reason, Applicant maintains that this reason would also be sufficient, on its own, to distinguish the pending claims from Chan.

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